



City of Chicago  
Richard M. Daley, Mayor

**Commission on Human Relations**

Dana V. Starks  
Chairman and Commissioner

3rd Floor  
740 North Sedgwick Street  
Chicago, Illinois 60654-8488  
(312) 744-4111  
(312) 744-1081 (FAX)  
(312) 744-1088 (TTY)  
<http://www.cityofchicago.org>

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City of Chicago Commission on Human Relations  
**Board of Commissioners**

**RESOLUTION**

**WHEREAS**, The United States is a nation consisting of immigrants who have traveled from around the world to our shores to escape tyranny, oppression, persecution, bigotry and abject poverty in their common quest for freedom and a better life;

**WHEREAS**, for well over 100 years, the Statue of Liberty, the enduring beacon and symbol of hope, has evoked the spirit of freedom best captured in the stirring words of the poet Emma Lazarus --

Give me your tired, your poor,  
Your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.  
Send these, the homeless, tempest-tost to me,  
I lift my lamp beside the golden door!

**WHEREAS**, the stirring words of Emma Lazarus have been embodied in the City of Chicago which was founded by immigrants;

**WHEREAS**, the City of Chicago has historically supported policies and laws prohibiting discrimination based on race, ethnicity and national origin;

**WHEREAS**, the City of Chicago has been unwavering in the belief that the legal enforcement of our nation's immigration laws and programs must be consistent with the U.S. Constitution and not encourage xenophobia or any form of discrimination and profiling based on race, ethnicity or national origin;

**WHEREAS**, the U.S. Constitution grants Congress the exclusive authority over immigration matters;

**WHEREAS**, U.S. Immigration and Customs Enforcement, an investigation branch of the U.S. Department of Homeland Security, has the primary authority to police the nation's border and enforce federal immigration laws;

**WHEREAS**, the Arizona State Legislature passed S.B. 1070, entitled "Support Our Law Enforcement and Safe Neighborhoods Act" ("Act"), which Governor Janice Brewer signed into law on April 23, 2010, and becomes effective on July 28, 2010;



**WHEREAS**, the Act requires that a reasonable attempt, when practicable, be made to determine the immigration status of a person during any contact made by a law enforcement officer, official or agency of the state or political subdivision if "reasonable suspicion" exists that the person is an alien who is unlawfully present in the United States;

**WHEREAS**, the Act requires a law enforcement officer to question those they suspect are illegal immigrants and allows a law enforcement officer, without warrant, to arrest a person if the officer has "probable cause" to believe that the person has committed any public offense that makes the person removable from the United States;

**WHEREAS**, the Act specifies that a person is guilty of trespassing if the person is (a) present on any public or private land in the state and (b) is not carrying his or her alien registration card;

**WHEREAS**, the Act does not prohibit a law enforcement officer from relying on race, ethnicity or national origin to determine who to question or investigate;

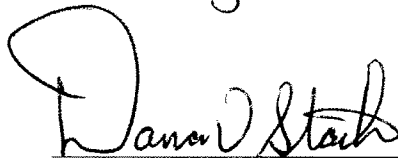
**WHEREAS**, the perception exists that the Act encourages racial, ethnic and national origin profiling and has the potential of being applied in a discriminatory manner in violation of Fourteenth Amendment guarantees of due process and equal protection for U.S. citizens, legal residents and visitors who are detained for suspicion of being in the United States illegally;

**WHEREAS**, the Act seriously undermines the supremacy clause of the U.S. Constitution which grants Congress the exclusive power over immigration matters;

**NOW THEREFORE, BE IT RESOLVED**, that the Chicago Commission on Human Relations respectfully requests that the Mayor of the City of Chicago and Members of the Chicago City Council support the lawsuit filed by the U. S. Department of Justice in the U.S. District Court on July 6, 2010, legally challenging Arizona's "Support Our Law Enforcement and Safe Neighborhoods Act" on constitutional grounds because it impinges on the federal government's authority to police the nation's borders; and

**BE IT FURTHER RESOLVED**, that it is imperative to support the federal lawsuit because this state immigration law, effective July 28, 2010, will foster xenophobic behavior amounting to discriminatory profiling based on race, ethnicity and national origin in violation of core civil rights and civil liberties secured by the U.S. Constitution.

ADOPTED this 17<sup>th</sup> day of August 2010.



Dana V. Starks  
Chairman

This resolution represents the formally expressed opinion of the Chicago Commission on Human Relations but does not necessarily represent the official position of the City of Chicago.